

INTRODUCTION

Virginia Code §10.1-1188 requires state agencies to prepare and submit an environmental impact report (EIR) for each major state project. This manual describes objectives, criteria, and procedures developed by the Department of Environmental Quality (DEQ) to assure the orderly preparation and evaluation of environmental impact reports.

1. PROGRAM GOALS

The purpose of environmental review is to identify and evaluate the environmental effects of proposed state facilities, and to guide facility siting and design decisions in order to protect important environmental resources. The analysis needed to prepare an environmental impact report (EIR) helps agencies to assess the effects of development proposals, and to consider alternative actions and mitigating measures to avoid or reduce adverse impacts. Review of the EIR provides the DEQ and other State agencies with information that can be used to recommend project modifications, if needed, and to make recommendations to the Secretary of Administration. Preparation of EIRs assists proponent agencies in developing projects which are consistent with existing land-use policies including local plans and ordinances. Virginia Code § 10.1-1190 provides that the State Comptroller shall not authorize payments of funds for major state projects unless the request is accompanied by written approval of the Governor after his consideration of the comments by the DEQ on the environmental impact of the facility. Each new Governor typically delegates the authority to approve projects to the Secretary of Administration by Executive Order. The Secretary of Administration must then weigh the benefits and environmental costs of the project before releasing funds for that project. The DEQ's recommendations to the Secretary of Administration are advisory. However, the Secretary may incorporate them as conditions of project approval.

In some instances, environmental review will help to avoid unforeseen construction costs to overcome environmental hazards. In other cases, environmental review will help agencies avoid adverse impacts on the natural resources of the Commonwealth. In all cases, environmental review helps agencies provide facilities that are consistent with State environmental policies, such as the Commonwealth's pollution prevention policy, and are models for other development.

2. RESPONSIBILITIES OF PROPONENT AGENCIES

The environmental impact reporting and review procedure should be a part of the planning, siting, and design procedure for major state projects. When it is scheduled as part of the process, the preparation of the EIR can be accomplished efficiently, and in a time frame that does not impede implementation of projects. Agencies that are considering major project initiatives are encouraged to contact DEQ - Office of Environmental Impact Review (DEQ-OEIR) early in order to enlist DEQ's assistance in identifying important environmental issues, and in order to determine the level of environmental analysis necessary to satisfy the requirements of §10.1-1188.

In order to ensure consistent quality in conducting its reviews, DEQ needs certain information, as discussed in the following chapters. Where insufficient information is provided for assessment of the impacts of the proposed project on the environment and natural resources, DEQ will return the EIR document to the proponent agency. If additional information is not provided, DEQ may limit its comments to those issues that have been presented adequately, while identifying deficiencies in the environmental report. Either action may result in delays in initiating a project. DEQ therefore urges each proponent of a project subject to the EIR law to supply complete information.

The information requirements and procedures for review are simple. DEQ strives to ensure that the procedure remains a vehicle for efficient and effective environmental review. In all cases, DEQ strives to provide a flexible process that can be adapted to unusual circumstances. Agencies with special needs are encouraged to contact DEQ early in their project planning to discuss problems in meeting their mandates or questions about their responsibilities.

3. RESPONSIBILITIES OF REVIEWING AGENCIES

DEQ must review and comment on an environmental impact report within 60 days. In conducting its reviews, DEQ-OEIR relies heavily on the comments and guidance of other divisions within DEQ as well as other agencies. In reviewing environmental impact reports, State agencies should determine whether any of their proprietary, management, policy development, or regulatory responsibilities are likely to affect or be affected by the project under review. The effect should be described in the agency's comments.

DEQ-OEIR relies on other divisions and agencies to provide the basic information for comments and recommendations about a proposed facility. The reviewing agency or entity is expected to bring its expertise to bear on the analysis presented in the EIR. If permitting will be required, agencies should identify criteria or anticipated permit conditions to aid the proponent agency in preparing for permit application review. Reviewing agencies should also recommend application of existing agency or state policies. New policies to deal with the issues raised by the project under review could also evolve from the EIR review process.

Reviewing agencies should provide a rationale for the comments they make in reviewing project EIRs. This rationale may include statutory declarations of policy (in which case a citation is desired), memoranda of agreement or understanding, relevant state policy, or other reasoning which underlies the suggestions. Development of state facilities must incorporate protection measures stipulated in state policies which are more stringent than applicable regulatory requirements. For example, all agencies of the Commonwealth must administer their programs in accordance with the following: (1) the Chesapeake 2000 Agreement providing "Government by Example," ensure that all properties owned, managed, or leased by the State are developed, redeveloped and used in a manner consistent with the "sound land use" goals and commitments of this agreement; (2) Virginia's Coastal Resources Management Program - state agency activities must be consistent with the goals and priorities of the coastal program established in 1986; (3) the Commonwealth's wetlands policy - in 1993 the Commonwealth adopted a goal of "no net loss" of wetlands functions and values within the Chesapeake Bay watershed. The goal was expanded in 1997 by the Chesapeake Executive Council's Directive 97-2, "Wetlands Protection and Restoration Goal," and reaffirmed in the Chesapeake 2000 Agreement; and (4) the Commonwealth's Pollution Prevention policy - in 1995 the General Assembly passed House Joint Resolution 453 encouraging state agencies to participate in pollution prevention planning. Capital projects should be coordinated with ongoing pollution prevention planning activities, and constructed in accordance with pollution prevention principles.

ENVIRONMENTAL REVIEW FOR MAJOR STATE PROJECTS

1. DEFINITIONS

The following words and terms have the following meanings, unless the context clearly indicates otherwise:

"Acquisition for Construction" means a gift, lease, or purchase of land or rights thereto, for the purpose of building a new state facility.

"Construction" means any act of site preparation, including clearing and grading, or excavation, or erection of a structure for the purpose of building a major state facility.

"Director" means the Director of the Department of Environmental Quality.

"Environment" means the natural, scenic and historic attributes of Virginia.

"Environmental Assessment (EA)" means an assessment of environmental impacts according to National Environmental Policy Act (NEPA) requirements. It is a federally required document that contains information about proposed federal agency actions, programs, grants, and permits that may significantly affect the environment, and the significance of the impacts. The EA can serve as the basis for determining the necessity of preparing an EIS.

"Environmental Impact Report (EIR)" means the document mandated by Virginia Code §10.1-1188. The document must be prepared by a state agency proposing to construct a major state facility or acquire land for construction.

"Environmental Impact Statement (EIS)" means a federally required document that fully addresses environmental impacts, alternatives, and mitigation measures.

"Major State Project" means the acquisition of an interest in land for construction of any state facility, or the construction of any state facility, or expansion of an existing facility costing over \$100,000.

"Proponent Agency" means the agency that will build, occupy, or be the primary user of a facility once it is completed.

"Virginia Outdoors Plan" means the comprehensive outdoor recreation and open space plan prepared by the Department of Conservation and Recreation.

"Direct Impacts" are those impacts caused by the proposed action that occur at the same time and place.

"Indirect Impacts" are caused or induced by the action but occur later in time or are removed in distance.

"Cumulative Impacts" are the impacts on the environment that result from the incremental effect of the proposed action added to other past, present, or reasonable foreseeable future action.

2. PURPOSE

A. The purposes of environmental impact reports (EIRs).

1. The environmental impact report (EIR) is intended to inform proponent agencies, oversight agencies, and other decision-makers of the environmental consequences of development activities by state agencies, and to ensure that construction of State facilities is carried out in an environmentally sound manner.

2. Preparing the EIR for a proposed project enables proponent agencies to identify potential impacts on environmental resources, and to revise project plans in order to avoid, reduce, or compensate for those impacts.
3. The EIR provides essential information that allows the Department of Environmental Quality and other reviewing agencies to carry out their review in an efficient and timely manner.
4. The EIR is a commitment by the proponent agency that it has carried out a reasonable review and analysis of the environmental impacts of its facility development proposal, and that it will implement all design and mitigation actions specified in the document. DEQ's comments about the environmental impacts of a project presume that those commitments will be carried out.

B. The purpose of environmental impact review.

1. DEQ reviews the EIR in order to provide comments to the Governor on the environmental impact of each major state facility.
2. The review assures that environmental impacts that require modification of a major state project are identified in a timely manner, before acquisition of a parcel or before construction begins on existing state land.
3. Reviewing agencies determine whether any of their proprietary, management, policy, or regulatory responsibilities are likely to affect or be affected by the project under review.
4. If permitting will be required, regulatory agencies may identify criteria or permit conditions to aid the proponent agency in preparing a permit application.
5. Reviewing agencies may apply existing agency or state policies, or make recommendations to deal with the issues raised by the project under review. The object of such comments is to assure that State agency projects provide a model for environmentally sound development.

3. APPLICABILITY

A. Who is required to submit an environmental impact report?

1. All state agencies, boards, commissions, authorities, and any branch of State government are required to prepare and submit an environmental impact report to the DEQ on each major State project.

2. State-supported institutions of higher learning are subject to the EIR requirement;
3. Counties, cities, and towns are exempt from the EIR requirement;
4. Housing development or redevelopment authorities, and industrial development authorities are exempt from the EIR requirement.

B. Which projects require an environmental impact report?

1. The requirement applies to major State projects as defined by Virginia Code §10.1-1188. This includes the following activities if they cost \$100,000 or more:
 - the acquisition, including gifts, leases, or purchase of land or rights thereto, for state facility construction;
 - construction of a facility;
 - expansion of a facility.
2. The definition of major State projects also applies to any lease of state land to private entities for construction which meets the criteria of this section.

C. Which state projects do not require environmental impact reports?

1. Environmental assessment for highway and road construction on VDOT rights-of-way is conducted according to procedures defined in a memorandum of agreement by the Secretaries of Transportation and Natural Resources.

However, environmental impact reports are required for parking lots, sidewalks, driveways and other pavement within a state project boundary if they meet the criteria of Sections A & B, above.

2. Environmental impact reports are not required for repairs, interior renovations, or "maintenance reserve" projects. Maintenance reserve projects include the following, provided replacements are along the same alignments as the structures being replaced:
 - Repair or replacement of damaged or inoperable equipment such as elevators, furnaces, plumbing fixtures, air conditioning and ventilation equipment;
 - Repair or replacement of components of plant such as masonry, ceilings, floor, floor coverings, roofs, sidewalks, parking lots, exterior lighting, boilers, and air conditioners;

- Repair or replacement of existing utility systems, such as electrical, water and sewer, heating and cooling; and
- Correction of deficiency in property and plant that are required to conform with building and safety codes or those associated with hazard corrections, including asbestos hazards when incidental to repair/maintenance.

3. When a state agency acquires developed property, no environmental impact report is required unless substantial alteration of the structure involving land disturbing activities is proposed. However, proponent agencies should conduct an environmental hazards inspection before acquiring any property since pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, a purchaser can be liable for past contamination of a property.

4. Environmental impact reports are not required for master plans, although construction of specific facilities shown on a master plan will require an EIR if they meet the criteria in §§A & B, above.

Although it is not required, DEQ strongly encourages state entities preparing master plans for multiple acquisition or development projects to prepare an EIR. Review of the master plan EIR will expedite the review process for individual projects under the master plan by resolving common issues early.

5. Acquisition for the purpose of carrying out an agency's land management responsibilities, and which does not involve building on the land, does not require an EIR. Examples include the acquisition of Natural Area Preserves, Wildlife Management Areas, or State Forest lands.

D. Can the requirement to prepare an EIR be waived?

DEQ has no authority under the EIR law to waive the requirement for preparation of an EIR of "major state projects" as defined in §10.1-1188.

E. Can a federal environmental impact assessment (EA) or statement (EIS) fulfill the requirement for a State EIR?

1. Where a project is subject to both state and federal requirements, DEQ will accept a suitable federal document as the state EIR. The document must meet the standards in this manual.

2. State agencies that must meet federal EA or EIS requirements for a project should consult with DEQ early in the planning process in order to avoid duplicating effort to produce the state EIR.

F. What if a project changes?

If a proposed project changes subsequent to the EIR review and approval, DEQ must be notified. DEQ shall determine if the change affects the environmental consequences addressed in the EIR thereby requiring further review.

4. WHEN TO PREPARE AND SUBMIT AN EIR

A. EIRs must be submitted in a timely manner.

1. The State Comptroller may not authorize release of funds from the state treasury for a project unless the request is accompanied by the written approval of the Governor after consideration of the comments of DEQ on the environmental impacts of the project.
2. State agencies must submit an EIR in sufficient time to permit any modification of a project which may be needed because of environmental impacts.

B. DEQ must review an EIR and make a statement to the Governor within 60 days.

1. The sixty day review period will begin upon receipt of a report that meets the requirements of Virginia Code §10.1-1188. DEQ will confirm receipt of completed EIRs or request additional information, and will inform agencies about the expected review schedule.
2. Agencies must submit EIRs in time to accomplish review and design modification before the commencement of any site preparation for project construction.

Agencies risk project delays and additional costs if an EIR is submitted after project design has been completed. If the EIR is incomplete, or if the review results in a recommendation from DEQ for project modification to avoid or reduce an environmental impact, the start of construction may be delayed until redesign has been completed.

3. DEQ and reviewing agencies may determine that certain projects have negligible environmental impacts, and do not need detailed analysis and review. Where DEQ and reviewing agencies agree that a project would cause little impact, review may be completed in less than 60 days. If specific concerns are found, they will be analyzed and resolved with appropriate agencies. Specific concerns may also lead to negotiation or follow-up if not readily resolved.

C. EIRs may be submitted for review at any time during the calendar year.

1. DEQ encourages agencies to notify DEQ of their intent to submit the EIR for review at least 30 days before submission. A sample format for notifying DEQ of the intent to submit an EIR is shown on Form 2, located in Appendix 1 of these procedures.
2. DEQ recommends that EIRs be submitted in the spring of the year preceding adoption of the Commonwealth's biennial budget.

The EIR is one of several documents that is required by the Department of Planning and Budget (DPB) and the Division of Engineering and Buildings (DEB) prior to project implementation. Early submission provides needed time to resolve questions about the EIR in order to meet the Division of Engineering and Buildings' requirement for the project. The EIR must be submitted prior to submissions of the appropriate P-form to DPB and the CO-2 form to DEB. This time frame also implements Virginia Code §10.1-1191, which requires EIR submission early enough to allow for project modification necessitated by environmental impact. Early completion of the EIR review allows the necessary modifications to be included in the project designs at the same time the funds are appropriated.

3. There is no penalty for submitting a project EIR at other times of the year; however, submission by June 30 provides adequate time to resolve issues pertaining to the EIR.

D. EIR preparation and review should be an integral part of project planning.

1. For construction, project EIRs should be prepared, submitted, and reviewed during the planning or equivalent phase of project development.
2. When land acquisition for construction is proposed and sufficient information concerning the development of the site is not immediately available, a two part EIR will be accepted in order to facilitate time constraints associated with acquisition. Part one should precede the acquisition of land, and part two may be deferred to a more appropriate phase of the project planning schedule.

Where possible, a complete EIR for the proposed facility should be reviewed before the property is acquired. Where preliminary design cannot be accomplished prior to acquisition, a two part EIR should be submitted according to the criteria discussed in Section 5. EIRs for projects that include land acquisition must be submitted before the proponent agency is committed to the acquisition. We recommend that an option to purchase a property be obtained, and that the pre-acquisition phase of the EIR be submitted in time for review to be completed before the option expires.

Where unforeseen, and uncontrollable events require an expedited review, DEQ will attempt to expedite the review process. However, failure by an agency to submit an EIR in a timely manner will not be sufficient grounds to shorten the review period.

3. The Governor may approve receipt of gifts to the State and expenditures of money on emergency projects when the General Assembly is not in session, under specified conditions which are typically enunciated in Section 4-4.01(i) of each budget bill.

Emergency projects require completion of the environmental impact report and the review process as a pre-requisite to project implementation. In these cases the EIR should be submitted as soon as possible, and DEQ will review it as quickly as possible. Early contact with DEQ is recommended to ensure that DEQ's project schedule can accommodate an expedited review.

The DEQ will review completed EIRs within the 60-day statutory time frame. Depending on circumstances such as those mentioned above, the review period may be shortened. However, inadequate analysis or information may cause the review period to be extended.

5. EIR REVIEW PROCESS AND REQUIREMENTS

A. The Time Table for Review

1. DEQ must forward comments to the Secretary of Administration within 60 calendar days following receipt of a completed environmental impact report. The coordinated review by state environmental agencies must take place within this time frame.
2. DEQ sets deadlines for comments from reviewing agencies and entities by determining the dates by which comments for EIRs are due. In most cases, about 30 days is available for reviewing agencies to review an EIR for a project and return their comments to DEQ.
3. Planning district commissions (PDCs) and localities may request additional review time, if necessary. In such cases, the reviewer must inform DEQ that they are unable to complete the review in the time available. The reviewer should provide some sense of the concerns of the PDC or the local government on the project in question. Depending on the issues related to the project, DEQ will modify its deadline (within the statutory 60-days), if possible, or frame its response so as to take account of the needs of the commenting entity.

B. Summary of the Coordinated Environmental Impact Review Process

Step 1. The proponent agency decides whether an EIR is required using criteria provided by DEQ. (See Form 1 in Appendix 1.) If agencies desire confirmation of their determination

about the need for an EIR, the completed form should be sent to DEQ for review. DEQ will respond in writing about whether an EIR is needed.

Step 2. The proponent agency prepares the EIR during the planning phase for the project.

Step 3. The proponent agency informs DEQ 30 days in advance of its intent to submit an EIR for review (optional).

It is suggested that DEQ be notified of an agency's intent to submit an EIR for review at least 30 days in advance of the submission in order to reschedule other commitments, if necessary. This helps to assure that comment deadlines can be met. A sample format for notifying DEQ of the intent to submit an EIR is contained in Appendix 1 (Form 2) of these procedures.

Step 4. DEQ responds within 15 days of notification, stating the required number of copies to be submitted. Proponent agencies must send a sufficient number of copies of the EIR to DEQ for coordinated review.

The proponent agency is responsible for furnishing the number of copies of an EIR needed for reviewing agencies as specified by DEQ (**18 copies for most projects**). The number of copies required depends on the number of reviewers needed for a particular project, but usually does not exceed 20.

If the proponent agency prefers to await the preliminary determination of sufficiency of information discussed in Step 5, below, before sending additional copies, this may be arranged. However, the 60-days review period will not begin until the required number of complete documents is provided to DEQ.

Step 5. Upon receipt of the document, DEQ conducts a preliminary review of the EIR to ensure that basic information has been provided. If information is inadequate to satisfy the requirement of § 10.1-1188, the document may be returned for additional information. If the EIR is complete, the 60-days review period commences, and DEQ circulates the EIR to reviewing agencies.

DEQ invites comments from interested agencies, planning district commissions, and localities. Where agencies or entities are interested in a project or have a responsibility related to a project proposal, DEQ will contact that agency for review and comment. In cases where the impacts of a project are likely to be insignificant and DEQ can effectively predict the types of responses it would get in a coordinated review, DEQ may do a "limited" coordination with selected agencies (localities are always included).

Public review of EIRs is not mandated for major State projects; however, DEQ may consider any information that it receives about the environmental effects of a project under review.

Review by localities is sought by DEQ pursuant to Virginia Code §15.2-2202 which requires that DEQ include localities in the EIR Review Process. The purpose of the distribution of an EIR to a locality is to allow the locality to evaluate the proposed project for environmental impact, consistency with the locality's comprehensive plan, local ordinances, and applicable laws and to provide the locality with the opportunity to comment. Comments from localities are considered substantially in the same manner as comments from state agencies. Also, DEQ includes the appropriate planning district commission in the review as a matter of operating policy. The location of the project and its effects determine which entities are invited to comment. For example, for a project which affects the flow of a river constituting a boundary between two counties and taking place in a third, DEQ will solicit comments from all three, as well as the affected planning district commission or commissions.

Step 6. Reviewing agencies use the EIR to assess the project and send comments to DEQ. Agencies may request a site visit, or may inform DEQ of additional information requirements. DEQ staff, the proponent agency, and the reviewing agency agree on schedule revisions if additional time is required.

During the course of their review of a project, reviewing agencies may inform DEQ that sufficient information is not available to complete their review. DEQ, the reviewing agencies, and the proponent agency will mutually agree on actions necessary to obtain the information and complete the review. A revised schedule for completion of DEQ's review may be required if the information request is substantial and reflects a lack of information in the original document.

The proponent agency may be required to commission or undertake any of the following studies:

- a wetland delineation,
- an archaeological survey;
- an architectural or historic structures survey;
- verification of the limits of Chesapeake Bay Preservation Areas;
- a survey for the presence or habitat of endangered, rare, or threatened species of wildlife, plants, or insects; and
- an environmental hazard inspection.

Step 7. DEQ receives the comments of reviewing agencies. Any conflicts between the comments of different agencies are settled with the concerned agencies. Using agency comments and its own analysis, DEQ prepares comments and recommendations about the proposed project.

Step 8. DEQ submits its comments on the project to the Secretary of Administration within the 60-day statutory review period (see Virginia Code §10.1-1189). Copies are provided to proponent agencies, appropriate reviewing/commenting agencies, the Department of

Accounts, Department of Planning and Budget, and the Division of Engineering and Buildings. DEQ's comments are also available for public review at the DEQ - Division of Environmental Enhancement.

Step 9. The Governor authorizes or disapproves release of funds for a project. The Governor has delegated authority to the Secretary of Administration to approve or disapprove major State projects pursuant to Virginia Code §10.1-1190.

Step 10. DEQ or other agencies with permitting or oversight responsibilities may monitor project development to ensure that the design and mitigation commitments are carried out.

Monitoring is conducted in cooperation with the proponent agency, or in response to an emergency.

The Department of Accounts monitors state agencies' compliance with the law governing major State projects (Virginia Code §10.1-1188 through 10.1-1192) by requiring evidence of completion of EIR review. As indicated above, the DEQ provides this evidence by copy of its comments.

6. CONTENT FOR AN EIR

A. The EIR must discuss five subjects specified by §10.1-1188:

- The environmental impact of the project including the impact on wildlife habitat;
- Adverse effects that cannot be avoided if the project is undertaken;
- Measures proposed to minimize the impact of the project;
- Alternatives to the proposed construction;
- Irreversible environmental changes which would be involved in the project.

B. DEQ Guidelines for Organization of the EIR document.

In order to clearly discuss the content required by law to be included in the EIR, DEQ recommends that the EIR document contain the sections which follow. However, the proponent agency may, at its discretion, depart from this format, provided the substance of each element enumerated in §10.1-1188 is included in the EIR.

1. Project identification & description. The project should be given a title for easy identification. A contact person within the sponsoring (or proponent agency) should be indicated. If applicable and available at the time of submitting the EIR, capital budget

appropriation data (agency code, project code, budget item, and the budget biennium) should be included. The location of the project must be clearly identified on a U.S. Geological Survey topographic map, or its equivalent and a site plan. The EIR must fully describe the project and, in particular, aspects of the project that may cause direct or indirect environmental impacts. For example, it must discuss provisions for utilities such as existing and proposed facilities for providing potable water and wastewater treatment including intake or outfall locations, expected additional demands, and facility capacities. Description of the site must be thorough and include information on existing or proposed storage tanks (number, capacities, spill prevention measures, and containment plans) as well as provide some history on previous use, prior fish kills, and petroleum releases in the project vicinity. The purpose of this section is to make the reviewer aware of what is being proposed, important design features, how the facility will be operated, and the purpose of the facility.

2. Affected environment. This section should identify sensitive environmental features that may be affected by the project. The EIR should describe the land area, topography, and natural and physical features of the land. It should describe existing structures or facilities affected by the project. The EIR should also describe land uses on abutting or adjacent parcels, and on other parcels likely to be affected by the proposed facility. The discussion on land uses should include applicable local ordinances and plans such as locally-developed watershed management plans and locally-adopted transportation plans. The purpose of this discussion is to establish baseline information for the impact analysis which follows, and to identify features that require specific designs or that limit design alternatives.

3. Impacts of the project. The third section of the EIR should describe and analyze the direct, indirect, and cumulative environmental impacts of the preferred project alternative. For example, in addition to direct impacts of soil loss at the project site, soil erosion can have adverse secondary impacts on wetlands off-site which result from downstream deposition of sediments. The discussion of impacts should also include impacts from activities related to the project, such as the use of pesticides or herbicides, the management of hazardous materials at the site, or handling solid and hazardous waste generated at the site. The purpose of this section is to identify the environmental consequences of proceeding with the project. The identification of impacts is needed in order to properly weigh the costs of a project against its potential benefits and to evaluate needed mitigation measures. Potential impacts to significant resources should be considered and discussed for each of the project alternatives. Impacts should be discussed in measurable terms (acres, gallons per day, square feet, etc,) where possible. The discussion should include the environmental effects of the project which cannot be avoided if the project is to be built. Unavoidable impacts are those that remain after available mitigation measures have been included. The following list identifies resources that may be affected by various types of development. Agencies proposing to construct or acquire land for major state facilities should indicate whether the proposal is consistent with applicable federal and state policies, applicable local ordinances and comprehensive plans. This section must identify and describe the resources

present on sites of interest, and should evaluate how their use of the site may affect the resources listed below.

- Endangered, threatened, or rare plants, animals, or insects;
- Significant habitat for terrestrial wildlife and birds (for instance, habitat for rare species, or important breeding sites, or migratory stopovers);
- Other unique or important terrestrial vegetation (for instance, foraging areas, stands of mature forest, or wilderness study areas);
- Aquatic life: fisheries, vegetation (including submerged aquatic vegetation), benthic organisms, shell growing area (if so, indicate whether Virginia Department of Health has issued a shellfish condemnation notice for the subject waters);
- Historic structures, listed or eligible for listing on the Virginia Landmarks Register or the National Register of Historic Places;
- Archaeological sites;
- Agricultural land, either prime or important (as defined by the Natural Resources Conservation Service, the Virginia Department of Agriculture and Consumer Services, or the local ordinance), or farming operations;
- Forest land, including predominant tree species and any endangered, threatened, or rare tree species;
- Tidal and non-tidal wetlands (delineation may be required). *The review of National Wetland*

Inventory (NWI) maps should be used in conjunction with field observations for determining whether wetlands or other surface waters are present and a wetland delineation may also be required:

- Streams, rivers, lakes and ponds on or near the site which should include information about flow volumes (available at the Richmond office the U. S. Geological Survey Water Resources Division or DEQ's Charlottesville Field Office) and water quality (available from DEQ's most recent biennial 305(b) Water Quality Assessment Report to the U.S. EPA). Stream segments with water quality problems can also be identified from DEQ's 303(d) list of impaired waters. Also, indicate whether stream segments at the site are protected by designated DEQ Special Water Quality Standards, or are located within identified trout waters; report any record of prior fish kills or petroleum releases in the project vicinity; the status of the waterbody under DCR's Nonpoint Source Assessment should be documented;
- Watersheds of significant importance for public water supplies (such as wellhead protection zones, or watershed protection zones designated by local ordinance);
- Chesapeake Bay Resource Protection Areas and Chesapeake Bay Management Areas;
- Virginia Coastal Resources Management Area (Tidewater);
- The "100-year flood" plain;

- Ground water characteristics (the type of aquifers present; wells on or near the property that draw water from the aquifer). If groundwater withdrawal is proposed, indicate whether the project site is located within a State Water Control Board designated Ground Water Management Area and if anticipated withdrawal will exceed 300,000 gallons of water in any month;
- Parks and recreation areas, (federal, local, state, or private); and recreation and open space resources identified by the Virginia Outdoors Plan, (Dept. of Conservation and Recreation); if applicable, provide information on public access to the shoreline and waterways;
- Important natural areas, (for instance, wildlife refuges and wilderness areas, important natural areas identified by public agencies, and important private conservation areas);
- Important scenery and scenic resources (for instance, views of important landmarks or natural features);
- Air quality: for instance, will construction or operation of the facility cause air pollution emissions, is open burning proposed, how will fugitive dust be controlled, is the project site located within a (i) nonattainment area for criteria pollutants such as ozone, (ii) a State designated Volatile Organic Compound and/or Nitrogen Oxides Emissions Control area, or (iii) Prevention of Significant Deterioration Area (iv) 10 kilometers of a federally designated Class 1 (pristine) area;
- Geology and Mineral Resources, caves, and sinkholes (discussion should include identification of site specific geologic and mineral resources from data and maps at an appropriate scale);
- Other important resources such as designated scenic rivers, Virginia By-Ways, and important natural communities.

4. Alternatives. This section should discuss alternatives to the project, or why no alternatives were considered. The alternatives discussion should explore whether there are other ways to achieve the purpose that will be served by the project.

The EIR should demonstrate consideration and analysis of the environmental impacts of the alternatives, as well as the program and fiscal impacts to the agency. Where adverse environmental impacts of the preferred alternative are likely to be severe, controversial, or unacceptable, the alternatives analysis will be more important to the project review.

Identification of alternatives should not be limited to site selection. There are four types of possible alternatives:

- Alternative sites. A discussion of alternative sites is essential if land is to be acquired, or if the preferred site is environmentally sensitive or controversial.

- Alternative designs on the proposed site. Site plans can sometimes be revised to avoid impacts on resources on or near the parcel. This often helps to reduce environmental impacts to acceptable levels.
- Alternative methods of operation, including more efficient uses of the proposed facility.
- No-action alternative. The no-action alternative means not pursuing the project. This alternative must be considered even if the proponent agency thinks it undesirable.

5. Mitigation (measures to avoid or minimize environmental impacts). The proponent agency must discuss measures that avoid or minimize the environmental impacts of the preferred alternative (mitigation). The purpose of this discussion is to identify, for reviewers, actions that can reduce or compensate for loss of environmental resources. Reviewers will consider whether the proposed mitigation is sufficient to avoid or make up for adverse impacts. Extra mitigation effort is warranted if the environmental impacts of the project are severe and unavoidable.

Mitigation measures in the state project development process are not limited to those which may be required as permit conditions. In certain instances, the application of other State policies may warrant that State agencies exceed permit requirements in carrying out their responsibilities. For example, the EIR must incorporate the Commonwealth's pollution prevention policy pursuant to the Code of Virginia § 10.1-1425.11. This policy establishes an environmental protection hierarchy, with pollution prevention as the most desirable environmental management option. Other options include, in descending order of preference, reduction of waste at the source, reuse, recycle, treatment, and disposal in an environmentally sound manner. Based on House Joint Resolution 453 passed in 1995, capital projects should be coordinated with ongoing pollution prevention planning activities, and constructed in accordance with pollution prevention principles.

In preparing their EIR, proponent agencies are encouraged to include mitigation as part of the project design. Discussion of other actions that the agency has considered, even though they were rejected, should be included. This provides further evidence of the agency's effort to avoid significant environmental impacts. DEQ encourages proponent agencies to clearly present their mitigation commitments, as follows:

- mitigation measures to which the proponent agency is willing to commit;
- measures that the proponent agency has considered but does not intend to pursue. (This helps the reviewing agencies avoid duplicating analysis that has already been performed.)

Innovative pollution prevention strategies and conservation methods should be incorporated in the design of new facilities. The following examples are features which should be considered during the design phase:

Pollution Prevention

- Heavy construction equipment must be properly tuned, maintained, and fueled with a low sulfur content diesel fuel to reduce emissions;
- Construction areas should be watered frequently to reduce dust and construction activities suspended during high winds;
- Non-toxic paints, stains, and preservatives and chemical-free carpeting should be used;
- Stations to recycle materials such as paper, cardboard, aluminum, and plastics should be incorporated. In addition to collecting recyclable materials, recycled goods should be procured to help stimulate marketing of these products;
- The use of herbicides or pesticides for landscape maintenance should be in accordance with the principles of integrated pest management. The least toxic pesticides that are effective in controlling the target species should be used. In an ozone nonattainment or maintenance area, the use of pesticides or herbicides that contain volatile organic compounds, should be curtailed, substituted with an alternative product free of VOC, or scheduled outside of the ozone season.

Water Conservation

- Grounds should be landscaped with hardy native plant species to conserve water as well as lessen the need to use fertilizers and pesticides.
- Low-flow toilets should be installed in new facilities.

Energy Conservation

- Energy-efficient heating and cooling, proper building insulation, and the use of energy-efficient lighting should be incorporated in the design of new facilities. The liberal use of native species of trees in landscaping can also help to reduce cooling costs.

DEQ's comments and recommendations about a project's impact are based on the mitigation commitments stated in the EIR. DEQ may recommend against proposed measures that are not necessary or effective or may propose additional or substitute measures. The Secretary of Administration may condition project approval on the commitments of the proponent agency and additional recommendations by DEQ.

The desirability of a mitigation measure is determined by its effectiveness in reducing or avoiding an adverse environmental impact or otherwise enhancing environmental values. From most desirable to least, mitigation includes:

- Avoiding an impact. This is most useful where the project will give rise to irretrievable loss of a resource in short supply (e.g., non-tidal wetlands) and where the alternatives analysis identifies feasible site-plan alternatives. It is the best form of mitigation.
- Reducing impacts in scale or type. If an adverse impact cannot be avoided, it should be minimized, (for instance, paved areas may be reduced in size, or a conventional pavement replaced by porous pavement in order to minimize stormwater runoff).
- Compensating for lost resources or land area. Where there is no way to avoid or reduce the loss of an important resource, and compensation is achievable, then it should be included in the project proposal. Compensation includes replacement in a new location; preservation of other, similar resources (offsets); or preservation of other resources of similar value. **If compensation is the chosen alternative, then safety factors should be considered (for example, creation of additional wetlands to offset the loss) in order to ensure effective function and value of the lost resource.** For some resources, compensation is possible; for others, it is not. There are no accepted ways, for example, to compensate for the loss of an acre of farmland or an historic structure.

Mitigation supplements, but does not substitute for innovative resource conservation measures on the part of State agencies. As a general rule, agencies are encouraged to include resource conservation as integral parts of their project plans. For instance, recycling of materials as a part of project operation is expected of all state agencies and does not qualify as mitigation.

6. Irreversible environmental changes. The final section of the EIR, the discussion of irreversible environmental changes, is an opportunity to demonstrate understanding of the long-term impacts, if any, of the project's construction and use. This section should indicate whether the project will cause a permanent impact on air quality or water quality, or whether it will consume significant land and water resources, or whether it will generate other

demands on the natural resources of the immediate or surrounding area. Losses of significant resources, such as historic or archaeological sites, should be identified, as well.

Examples of irreversible environmental changes that should be identified:

- reduction or alteration of the flow of water in a stream or river;
- disturbance or destruction of archaeological sites;
- alteration of the hydrology of a wetland, or alteration of the flow of stormwater runoff into a wetland;
- permanent clearing or construction within a scenic area.

C. Guidelines for Preparing Two-Part EIRs.

1. Preparation of the EIR document should reflect the nature of the project proposal and limitations of information available. Where land acquisition for facility construction is proposed and site design information is not available, an initial EIR should be prepared to facilitate environmental review of the site selection (Part 1), and a follow-up EIR should be prepared for the development of the site (Part 2).

Where no acquisition is proposed, a single document that provides requisite information about the selected site and the proposed design is sufficient. (See discussion of Part 2 on page 22).

2. PART 1: Information for Site Selection or Site Acquisition.

A. Part 1 of an EIR should evaluate the selection or acquisition of a site. Part 1 allows agencies to evaluate the suitability of alternative sites for the proposed facility. Environmental liabilities and sensitive resources can be identified early, and the cost of mitigation strategies (to avoid or reduce impacts, or to avoid or clean up hazards) can be assessed in selecting the best site. DEQ review focuses on whether agencies have selected and evaluated alternative sites, and on whether agencies have conducted accurate analyses of their preferred sites and incorporated those analyses into their purchase decision.

B. Part 1 of the EIR must be submitted in sufficient time to allow review and comment before a purchase contract is signed. This part of the EIR should demonstrate that the

proposed site is suitable for the proposed use. The material submitted should provide a clear concept of the project that is proposed, environmental criteria that were used in the selection process, and characteristics of the property that constrain or enhance its use for the intended purpose. Part I of the EIR should include:

1. Project justification (from the Planning or Capital Budget Proposal).
2. Alternatives to construction of facility (if an analysis of alternatives was prepared for the Capital Project Request, it should be included in Phase I of the EIR.)
3. Description of the proposed facility in as much detail as known at this stage, including:
 - a. Description of the facility design concept. (Describe needed site clearing/leveling, the size and height of buildings, location of roads, location of parking lots, outdoor lighting, proposed landscaping, type of construction and materials, planned starting date and duration of construction, etc.).
 - b. Planned use and scope of action. (Describe the nature of activities that will be conducted on the property and the anticipated volume of activity and resource impacts - for instance, water consumption, traffic generation, wastewater discharge, air emissions, etc.).
 - c. Typical or proposed site layout (include a sketch plan of how the facility would be laid out on the proposed site).
4. Site selection criteria (should be developed and presented according to requirements for the Planning Study for Capital Requests that is prepared by the Department of Planning and Budget).
5. Alternative sites considered (DEQ recommends that at least three sites within the facility's service area be evaluated and compared, and reasons demonstrated for selecting the preferred site);
6. A map and description of the physical characteristics of the preferred site, including:
 - a. Current use, structures, infrastructure, and improvements on proposed and surrounding parcels (include site survey).

- b. Topography of the site and surrounding area (include topographic map).
 - c. Physical features of site, including vegetation, rock outcrops, streams, rivers, wetlands, and other surface water; soil types; and other resources of concern listed on Pages 14 & 15.
 - d. All constraints to site design including local building restriction lines, highway setback lines, easements, covenants, reservations, and right-of-ways of record.
 - e. Parcel size and shape (include site survey plat).
7. Proof that a competent environmental hazards inspection of the proposed site has been performed, along with a report on the findings of that inspection. Agencies may wish to contact DEQ-Waste Division for assistance in conducting or contracting for a hazards inspection.
8. A map and description of sensitive features of the proposed site that would be affected by the proposed project. The accurate depiction of resources that will be affected by proposed facility development is needed to determine the feasibility of alternative designs and mitigation measures as the project proceeds. Showing a general location is often sufficient when the resources are present on the property but are not within the likely area of project impact.
9. Unavoidable adverse impacts if the concept facility is developed on the preferred site. The EIR should discuss how the design concept, construction and planned use will alter existing site characteristics and resources. Examples include:
- a. Changes in flow and quality of stormwater runoff that will adversely affect existing streams, rivers, wetlands, or other surface waters;
 - b. Existing structures to be altered or demolished. (If demolition is contemplated, a separate demolition review is required by the Division of Engineering and Buildings, including screening for asbestos-containing materials and lead-based paint. If it is contemplated in order to make room for the project under review, the demolition review information should be part of the EIR);

10. Conflicts between the proposed action and local plans or zoning ordinances that apply to the area.
11. Proposed mitigation for unavoidable impacts (mitigation proposals are conceptual at this point, and will be implemented in site design, and verified during the Part 2 EIR review).

3. PART 2: Information for Design and Construction.

A. Environmental review of site design (Part 2) helps agencies to evaluate the specific impacts imposed on sensitive resources and assess the success of alternative mitigation strategies in reducing project impacts. DEQ's review focuses on assuring that agencies have incorporated applicable environmental policies into their facility designs.

B. Where a Part 1 EIR has already been prepared to accommodate land purchase, the Part 2 review insures that the facility design conforms to environmental constraints already identified on the selected site. Part 2 provides the proponent agency with the opportunity to demonstrate that it has evaluated and adopted reasonable design and mitigation alternatives consistent with the Commonwealth's environmental policies.

C. The Part 2 report should be based on preliminary design drawings, if possible, or on the conceptual drawings of the planning study. Preparation of the report and DEQ's review should occur before the final site design is completed. DEQ's review will focus on whether the report accurately describes unavoidable environmental impacts, and on the proponent agency's commitment to avoid or reduce those impacts. DEQ may also recommend additional measures to avoid or reduce adverse impacts if appropriate and if the benefits of the additional measures outweigh the costs to carry them out.

Information needed for the Part 2 review includes:

1. The Part 1 report and supporting material, along with DEQ's prior comments on the site acquisition proposal, if any. If the project is part of a master plan for which an EIR has been prepared, that EIR should be included, as well.
2. Discussion of any conditions imposed by the Governor or General Assembly that affect or relate to environmental performance.

3. Identification of environmental resources adversely affected by the proposed design. (See section on affected resources on pages 14-16 under Impacts of the Project).
4. Alternative designs or actions to avoid or reduce the loss of environmental resources, including those reflected in the proposed design, as well as those rejected due to cost or technical infeasibility. If no alternatives were considered, the report should discuss why they were omitted.
5. A preliminary site plan that shows the following:
 - slopes greater than 15%,
 - existing storm drainage systems,
 - natural and artificial watercourses,
 - Chesapeake Bay Resource Protection Areas, where applicable,
 - limits of 100-year floodplain,
 - limits of any wetlands on the site,
 - location and limits of major soil categories,
 - the location, dimension, size, and height of the following elements of the project, in as much detail as available:
 - sidewalks, streets, alleys, easements, and utilities;
 - existing and proposed buildings and structures;
 - off-street parking facilities;
 - on-site sewage treatment/disposal systems and sanitary sewer lines, on-site water supply systems or public water mains and hydrants;
 - slopes, terraces, retaining walls;
 - proposed storm drainage systems;
 - finish grading (two foot contour interval within 100 feet of all buildings and maximum five foot contour interval on remainder of property);
 - outdoor lighting;
 - shore stabilization structures.
6. Submissions may deviate from these requirements if an acceptable substitute has been discussed with and agreed to by DEQ.

09/16/03

APPENDIX 1 - FORMS

FORM 1 - Worksheet for determining if an EIR is required.

Project Name: _____

Project Description: _____

Answer the following questions to determine whether an EIR is required:

_____ Does this project propose acquisition land on which a state facility will be built, where the total project cost is expected to exceed \$100,000?

_____ Does this project propose a lease that will result in construction or expansion of a structure, and propose a lease cost greater than \$100,000? (Lease cost = annual lease amount X number of years.)

_____ Does this project propose construction of a new facility on state-owned land that will cost more than \$100,000?

_____ Does this project propose expansion of an existing state facility that will cost more than \$100,000?

If you answered "yes" to any of the above questions, an environmental impact report is required. You should carefully consider the information in this manual, and discuss the project with the Department of Environmental Quality. If you require written concurrence from the DEQ about whether an environmental impact report must be submitted, please contact the Environmental Impact Review Coordinator (804-698-4330).

FORM 2 - Notice of Intent to Submit an EIR for Review.

The Department of Environmental Quality is advised that an Environmental Impact Report for the project identified herein will be forwarded for the DEQ's review on or about _____.
(DATE)

Signature of Agency Contact: _____

Agency Contact: _____

Phone: _____

Agency Proposing the Project:

Project Name: _____

Project Number: _____ Budget Code: _____

Briefly describe the proposed project:

APPENDIX 2

**Environmental Review Responsibilities of the
Virginia Department of Environmental Quality**

Major state facilities: Virginia Code §10.1-1188 to 10.2-1192.

Airport construction and expansion: Virginia Code §5.1-7

Oil and gas drilling proposals in Tidewater Virginia: Virginia Code §62.1-195.1.

Farmland preservation during project planning for major state projects: Virginia Code §3.1-18.8.

Mineral activities on State-owned lands: Virginia Code §2.1-512.1 (implemented by the "Minerals Management Plan," Commonwealth of Virginia).

Hydropower projects (State agencies' responses to notices of proceedings by the State Water Control Board to consider certifications under 33 U.S.C. 1341):
Virginia Code §10.1-1186(8).

Federal environmental assessments and environmental impact statements: 40 CFR 1500-1508 (National Environmental Policy Act) - implemented by Virginia Code 10.1-1183(9).

Consistency of federal actions with Virginia's Coastal Resources Management Program: 15 CFR 930.3 (Coastal Zone Management Act) - implemented by Executive Order Number 15 (90).

APPENDIX 3

APPENDIX 4

APPENDIX 3

Major State and Federal Permits and Approvals Applicable to Facility Development

- Army Corps of Engineers (Section 404, Clean Water Act, for dredging and filling of waters of the United States, including associated wetlands; Section 10, Rivers and Harbors Act, for obstructions to navigable waterways);
- State Water Control Board - Virginia Water Protection Permit (Water Quality Certification, Section 401, Clean Water Act);
- Marine Resources Commission (encroachments in, on, or over State-owned bottomlands or tidal wetlands (Virginia Code §62.1-1 through 62.1-13); sand dune impacts (§62.1-13.21 through 62.1-13.28);
- Plan approvals by the Department of Conservation and Recreation, Division of Soil and Water Conservation for Erosion and Sediment Control Plans (Virginia Code §10.1-560) and/or Stormwater Management Plans (§10.1-603);
- Discharge, no-discharge, and other permits administered by the State Water Control Board (Section 402 of the Clean Water Act and Virginia Code §62.1-44.2 through 62.1-44.34:23);
- New source, Prevention of Significant Deterioration, and other permits administered by the Department of Air Pollution Control (Virginia Code §10.1-1300 *et seq*);
- Hazardous material handling, treatment, storage, disposal, transportation permits administered by the DEQ-Waste Management Division (Virginia Code §10.1-1400 *et seq*);
- Solid waste disposal facility permits administered by the DEQ-Waste Management Division (Virginia Code §10.1-1400 *et seq*).
- For projects located in Tidewater Virginia, the activities must be consistent with the requirements of the local ordinance developed pursuant to the Chesapeake Bay Preservation Act. Site plans must be submitted to the Chesapeake Bay Local Assistance Department for review and approval (Virginia Code §10.1-2114).
- State agencies, upon receipt of a request from a locality, shall transmit a copy of the construction and site plans to the locality for comments. Also, DEQ shall distribute a copy of the EIR to the locality (Virginia Code § 15.2-2202).

**State Agencies Frequently Involved in Reviewing
Environmental Impact Reports**

Dept. of Agriculture & Consumer Services
Washington Building, Capitol Square
1100 Bank Street
Richmond, Virginia 23219
(804) 786-2378

Department of Game and Inland Fisheries
4010 West Broad Street
Richmond, Virginia 23230
(804) 367-1000

Chesapeake Bay Local Assistance Dept.
101 N. 14th Street, 17th Floor
Richmond, Virginia 23219
(804) 225-3440

Department of Health
1500 East Main Street
Richmond, Virginia 23219
(804) 786-3561

Department of Conservation & Recreation
203 Governor Street
Richmond, Virginia 23219
(804) 786-1712

Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221
(804) 367-2323

Department of Environmental Quality
Office of Air Data Analysis
629 East Main Street, 8th Floor
Richmond, Virginia 23219
(804) 698-4000

Dept. of Mines, Minerals & Energy
P.O. Box 3667
Charlottesville, Virginia 22903
(434) 293-5121

Department of Environmental Quality
Waste Management Division
629 East Main Street, 4th Floor
Richmond, Virginia 23219
(804) 698-4000

Virginia Institute of Marine Science
Gloucester Point, Virginia 23062
(804) 684-7000

Department of Environmental Quality
Water Protection Program
629 East Main Street, 9th Floor
Richmond, Virginia 23219
(804) 698-4000

Virginia Marine Resources Commission
2600 Washington Avenue
Newport News, Virginia 23607
(757) 247-2200

Department of Forestry
900 Natural Resources Dr., Ste. 800
Charlottesville, Virginia 22903
(434) 977-6555

Virginia Department of Transportation
1220 East Broad Street
Richmond, Virginia 23219
(804) 786-2700

DEPARTMENT OF ENVIRONMENTAL QUALITY:

Regional Offices:

Northern Regional Office
13901 Crown Court
Woodbridge, VA 22193
703/583-3800
703/583-3801 FAX

Tidewater Regional Office
5636 Southern Blvd.
Virginia Beach, VA 23462
757/518-2000
757/518-2103 FAX

Piedmont Regional Office
4949-A Cox Road
Glen Allen, VA 23060-6295
804/527-5020
804/527-5106 FAX

Valley Regional Office
P.O. Box 3000
Harrisonburg, VA 22801
540/574-7800
540/574-7878 FAX

South Central Regional Office
7705 Timberlake Road
Lynchburg, VA 24502
434/582-5120
434/582-5125 FAX

West Central Regional Office
3019 Peters Creek Road, NW
Roanoke, VA 24019
540/562-6700
540/562-6860 FAX

Southwest Regional Office
355 Deadmore Street
P.O. Box 1688
Abingdon, VA 24212-1688
276/676-4800
276/676-5564 or 4899 FAX

This procedure manual was prepared and distributed according to the requirements of *Virginia Code* §10.1-1191, which directs the Department of Environmental Quality to develop procedures governing the preparation and evaluation of required environmental impact reports for state projects.

FOR MORE INFORMATION:

Virginia Department of Environmental Quality
Division of Environmental Enhancement
Office of Environmental Impact Review
629 East Main Street, Sixth Floor
Richmond, Virginia 23219

Telephone (804) 698-4330

Michael P. Murphy, Director
Division of Environmental Enhancement

Ellie L. Irons
Environmental Impact Review Manager

Charles H. Ellis III
Environmental Impact Review Coordinator

Anne B. Newsom
Environmental Impact Review Coordinator

John E. Fisher
Environmental Impact Review Coordinator

Valerie A. Fulcher

4/19/02

Executive Secretary Senior

INTRODUCTION	1
1. PROGRAM GOALS	1
2. RESPONSIBILITIES OF PROPONENT AGENCIES	2
3. RESPONSIBILITIES OF REVIEWING AGENCIES	2
ENVIRONMENTAL REVIEW FOR MAJOR STATE PROJECTS	4
1. DEFINITIONS	4
"Acquisition for Construction"	4
"Construction"	4
"Director"	4
"Environment"	4
"Environmental Assessment (EA)"	4
"Environmental Impact Report (EIR)"	4
"Environmental Impact Statement (EIS)"	4
"Major State Project"	4
"Proponent Agency"	4
"Virginia Outdoors Plan"	4
"Direct Impacts"	4
"Indirect Impacts"	5
"Cumulative Impacts"	5
2. PURPOSE	5
The purposes of environmental impact reports (EIRs)	5
The purpose of environmental impact review	5
3. APPLICABILITY	6
Who is required to submit an environmental impact report?	6
Which projects require an environmental impact report?	6
Which projects do not require environmental impact reports?	6
Can the requirement to prepare an EIR be waived?	7
Can a federal environmental impact assessment or statement fulfill the requirement for a State EIR?	8
What if a project changes?	8
4. WHEN TO PREPARE AND SUBMIT AN EIR	8
EIRs must be submitted in a timely manner	8
DEQ must review an EIR and make a statement to the Governor within 60 days	8
EIRs may be submitted for review at any time during the calendar year	9
EIR preparation and review should be an integral part of the project planning	9

5. EIR REVIEW PROCESS AND REQUIREMENTS	10
The Time Table for Review.....	10
Summary of the Coordinated Environmental Impact Review Process	11
6. CONTENT FOR AN EIR.....	13
The EIR must include five subjects specified by §10.1-1188	13
Guidelines for Organization of the EIR document.....	13
Project identification and description	13
Affected environment	14
Impacts of the project.....	14
Alternatives.....	16
Mitigation (measures to minimize environmental impacts).....	17
Pollution prevention.....	17
Water conservation.....	18
Energy conservation.....	18
Irreversible environmental changes	19
Guidelines for Preparing Two Part EIRs.....	20
Part 1: Information for site selection or site acquisition	20
Part 2: Information for design and construction	22

APPENDIX 1

FORM 1 - Worksheet for determining if an EIR is required.

FORM 2 - Notice of intent to submit an EIR for review.

APPENDIX 2

Review Responsibilities of the Virginia Department of Environmental Quality.

APPENDIX 3

Major State and Federal Permits.

Agencies Frequently Involved in Reviewing Environmental Impact Reports.

APPENDIX 4

Schematic Representation of the State EIR Review Process.

Schematic Representation of the State Review Process for Airport Projects subject to Virginia Department of Aviation License/Permit Requirements.

Schematic Representation of the State Review Process for Federal Projects subject to National Environmental Policy Act Requirements.

Procedure for
Environmental Impact Review
of
Major State Facilities

Prepared by:

Virginia Department of Environmental Quality